REMARKS

No claims have been amended, added or deleted. Thus, claims 1-20 remain pending in the application. Reconsideration is respectfully requested in light of the following remarks.

Section 102(e) Rejection:

The Examiner rejected claims 1, 2, 4, 5, 8-12 and 15-18 under 35 U.S.C. § 102(e) as being anticipated by Bauer et al. (U.S. Patent 5,884,325) (hereinafter "Bauer '325"). Applicants respectfully traverse this rejection in light of the following remarks.

In regard to claim 1, the cited art does not teach a distributed store comprising a primary state of session data configured for access <u>by a plurality of application servers</u>. As described in the portions cited by the Examiner, Bauer '325 teaches a database synchronizer for synchronizing client databases with a single centralized database. Bauer '325 teaches that mobile clients modify their client databases when they are disconnected from the central database. When a client re-connects to the server, the database synchronizer synchronizes the client database to the central database.

Bauer '325 specifically employs a <u>single</u> central server and a plurality of remote <u>clients</u>. (Bauer '325 -- col. 1, line 67 -- col. 2, line 1; col. 6, lines 4-13). As shown in Fig. 1 of Bauer '325, a single server node 10 provides a central database 12 which may be synchronized for a plurality of clients nodes 20_{a-z}. Thus, Bauer '325 clearly does not teach a <u>plurality of application servers</u>. In contrast, Bauer '325 requires a <u>single</u> central server. The Examiner implies that the plurality of clients in Bauer '325 is equivalent to a plurality of applications servers. However, by definition, clients are not application servers. As is well known in the art, a client is the requesting program or user in a client/server relationship. For example, the user of a Web browser is effectively making client requests for pages from servers all over the Web. The browser itself is a client in

its relationship with the computer that is getting and returning the requested HTML file. The computer handling the request and sending back the HTML file is a server.

In response to the above argument, the Examiner, in the Response to Arguments section, argues that a single computer can be either a client or a server depending on the particular role of computer. However, while the Examiner's assertion may be true in some systems, the remote clients in Bauer '325 are specifically described <u>only as clients</u> (see, e.g. column 1, line 65 – column 2, line 5; column 2, lines 23-27). Regardless of whether or not computers in other systems might, in some circumstances, be able to function as servers, the fact remains that the mobile clients <u>in Bauer '325</u> are described only as clients in a client-server relationship with Bauer's central server.

Moreover, Bauer '325 does not disclose a <u>distributed store</u> comprising a primary state of session data configured for access by a plurality of application servers. In contrast, Bauer '325 includes only a single central server including a primary database. A single central database, even if periodically synchronized with client data, is not a distributed store comprising a primary state of session data.

Additionally, the central database of Bauer '325 is <u>not configured for access by a plurality of application servers</u>. The Examiner argues that the mobile devices of Bauer '325 are application servers that access Bauer's central database. **However, the clients in Bauer '325 do not access the central database 12.** Instead, the clients only access their local databases. Those local databases are then synchronized with the central database through the database synchronizer and the single central server in Bauer '325. But the clients in Bauer '325 do not access the central database themselves. Furthermore, as noted above, the <u>clients in Bauer '325 are clearly not application servers</u>. Thus, Bauer '325 does not teach a <u>distributed store</u> comprising a primary state of session data configured for access <u>by a plurality of application servers</u>.

Furthermore, the central database in Bauer '325 does not store <u>session data</u> accessible by a plurality of application servers. As noted above, Bauer '325 teaches

that each of the clients (which are not application servers) accesses its own client database, which may later be synchronized with the single central database by the database synchronizer. A database as described in Bauer '325 refers to a collection of data that is manipulated by clients. Data manipulated by clients in a database is not session data that represents the state of a client session for a client. Nowhere does Bauer '325 describe the data stored in his central database as session data. Session data is a well-understood concept in the art of application servers and the data stored in the databases in Bauer '325 is clearly not taught to be session data.

The Examiner argues in the Response to Arguments section that Bauer '325 discloses a log or a snapshot image that teaches session data and cites column 9, lines 42-53. However, at the cited passage, Bauer '325 teaches only DBMS log data and storing a before-image of a database for use with a later synchronization. DBMS log entries are data retained for the purposes of backing out the effects of uncommitted transactions, recovering results of committed transactions, and/or obtaining a consistent snapshot of the database as a result of the aforementioned operations. Thus, DBMS log data is not the same as session data. Like-wise, a snapshot or before-image of a database is also not session data. Therefore, detecting modification of DBMS log data or before-image data does not teach accessing session data within an application server.

Bauer '325 also does not teach a first application server of the plurality of application servers, comprising a client state of the session data <u>accessible to processes executing within the application server</u>. As noted above, Bauer '325 does not teach a plurality of application servers. Instead, Bauer '325 teaches only a single central server, as noted above. Bauer '325 does not disclose anything about processes executing within an application server accessing a client state of session data. Clearly, Bauer '325 does not anticipate a first application server of the plurality of application servers, comprising a client state of the session data accessible to processes executing within the application server.

Applicants remind the Examiner that anticipation requires the presence in a single prior art reference disclosure of each and every limitation of the claimed invention, arranged as in the claim. M.P.E.P 2131; *Lindemann Maschinenfabrik GmbH v. American Hoist & Derrick Co.*, 221 USPQ 481, 485 (Fed. Cir. 1984). The identical invention must be shown in as complete detail as is contained in the claims. *Richardson v. Suzuki Motor Co.*, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). As discussed above, Bauer '325 has nothing to do with application servers or session data. Furthermore, Bauer '325 requires a single centralized database server to control synchronization. Thus, Bauer '325 actually teaches away from a distributed store accessible by a plurality of application servers.

For at least the reasons given above, the rejection of claim 1 is not supported by the cited art and removal thereof is respectfully requested. Similar arguments as those presented above regarding claim 1 also apply to claims 8, 9 and 15.

Regarding claim 4, Bauer '325 fails to disclose wherein the distributed store is further configured to synchronize only mutable attributes to synchronize the primary state with the client state. The Examiner's cited passages (column 1, line 50 – column 2, line 67; column 9, lines 22-67; column 10, lines 1-5) make no reference to synchronizing only mutable attributes. In fact, Bauer '325 makes no distinction whatsoever regarding mutable and immutable attributes. The Examiner admits, in regard to claim 3, that Bauer '325 does not include any distinction between mutable and immutable attributes. This assertion corresponds to the Applicants' understanding of Bauer '325. Therefore, Bauer '325 clearly does not disclose the central database of the server configured to synchronize only mutable attributes. Thus, the rejection of claim 4 is not supported by the cited art and removal thereof is respectfully requested.

Section 103(a) Rejections:

The Examiner rejected claim 3 under 35 U.S.C. § 103(a) as being unpatentable over Bauer '325 in view of Bauer et al. (U.S. Patent 5,870,759) (hereinafter "Bauer '759"). Applicants respectfully traverse this rejection in light of the following remarks.

In regard to claim 3, the Examiner admits that Bauer '325 does not teach or suggest that to track accesses of the attributes of the client state, the first application server is further configured to track mutable attributes and not track immutable attributes. The Examiner relies upon Bauer '759 and argues that Bauer '759 teaches a database having mutable and immutable data items, citing column 8, lines 28-34. However, the cited passage does not mention anything regarding mutable and immutable attributes. Instead the cited passage only refers to a server-side database synchronizer including a catalog structure, update log, and various refresh tables. As with Bauer '325, the sections of Bauer '759 cited by the Examiner do not make any distinction between mutable and immutable attributes.

The Examiner further argues that since the clients in Bauer '759 do not send data that has not been modified (to minimize a cost of synchronization and communication) the system of Bauer '759 does not track or synchronize immutable attributes. However, not sending data that was not modified implies only that mutable data items that were modified are not synchronized. The very fact that clients in Bauer '759 have to determine whether or not a data item was modified means that the data item is mutable, and thus the Examiner's cited passage only discloses not sending mutable data items that were not modified since a last synchronization. Thus, neither Bauer '325 nor Bauer '759 teach or suggest an application server configured to track mutable attributes and not track immutable attributes. Thus, no combination of Bauer '325 and Bauer '759 would include such functionality. For at least the reasons presented above the rejection of claim 3 is not supported by the cited art and removal thereof is respectfully requested.

The Examiner rejected claims 6, 13 and 19 as being unpatentable over Bauer '325 in view of Morris (U.S. Patent 5,813,017), and rejected claims 7, 14 and 20 as being unpatentable over Bauer '325 in view of Lin et al. (U.S. Patent 6,546,135). Applicants respectfully traverse these rejections for at least the reasons presented above regarding their respective independent claims.

Applicants also assert that numerous ones of the dependent claims recite further distinctions over the cited art. However, since the rejection has been shown to be unsupported for the independent claims, a further discussion of the dependent claims is not necessary at this time.
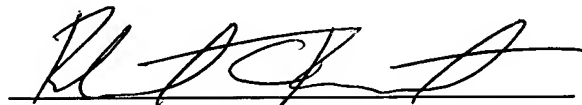
CONCLUSION

Applicants submit the application is in condition for allowance, and notice to that effect is respectfully requested.

If any fees are due, the Commissioner is authorized to charge said fees to Meyertons, Hood, Kivlin, Kowert, & Goetzel, P.C. Deposit Account No. 501505/5681-11800/RCK.

Also enclosed herewith are the following items:

☒ Return Receipt Postcard

☐ Petition for Extension of Time

☐ Notice of Change of Address

☐ Fee Authorization Form authorizing a deposit account debit in the amount of $ for fees ( ).

☐ Other:

Respectfully submitted,

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